

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133178/FH/2022

Date registered valid: 10 March 2022

Proposal: Erection of part single/part two storey rear extension to form additional living accommodation

Address: 52 Meldon Road, Manchester, M13 0TR

Ward(s): Rusholme Ward

Applicant: Mr Abdul Malik Al-Mohsin 52 Meldon Road, Manchester, M13 0TR

Agent (if any): Mr Hasnaat Saeed 1 Bank Street, Accrington, BB5 4HH

Case officer: Dave Morris
Tel: 0161 600 7924
Email: dave.morris@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 05.05.2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 1 April 2022

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 17 March 2022 Expired: 7 April 2022

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

This application relates to a two storey end terrace property. There are substantial gardens to the front and rear and a drive to the side.



Listed building: Not applicable

Conservation area: Not applicable

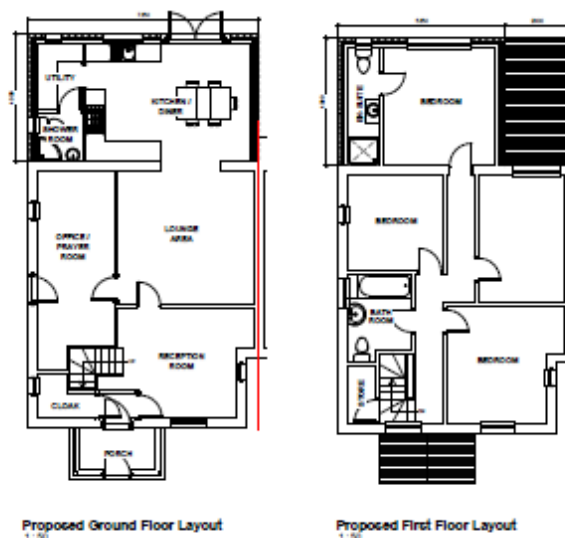
Tree Preservation Order: Not applicable

Description of area

This is a predominantly residential area comprising former local authority stock. The application site is one of a terrace of four with the two central properties being set back both at the front and rear. Number 48 has a single storey rear extension projecting 4 metres across the full width of the property. The adjacent property to the east is set significantly forward of the application property.

Description of development

Consent is sought to extend the property across the full width of the ground floor and projecting 4 metres from the rear wall of the property, 3.1 metres beyond the rear face of the adjoining property. The first floor would project the same amount but would be set in from the shared boundary by approximately 2 metres.



There would be two windows and a set of French Doors at ground floor level and two windows at first floor level in the rear elevation. There would be a wc window in the side elevation at ground floor level.



The two storey element would have a hipped roof and the single storey a mono pitch roof

Consultations & Notification Responses

Local residents

No representations received

Policy

The relevant Core Strategy policy is DM1 which seeks to protect the amenity of an area from the adverse impacts of a development.

The relevant saved UDP policy is DC1 which establishes the principle of extending a property to meet the needs of the occupiers whilst protecting the reasonable amenity of the adjoining properties.

Issues

Principle

The principle of enlarging the property accords with policy DC1.

Scale

Whilst a 4 metre extension across two floors is borderline significant as the adjoining property is set back the projection beyond that property is closer to 3 metres which is generally considered to be acceptable. Further the property has an unusually large rear garden, which can accommodate a larger extension. On balance therefore the scale if the extension is considered acceptable

Design

There are no issues with the extensions design

Residential amenity

In terms of privacy most windows face down the long rear garden and therefore raise no issues. The small side window is to a toilet and would normally be obscure glazed. It is proposed to attach an obscure glazing condition in respect of this window.

The rear elevation is southeast facing and as the extension is approximately 1.7 metres from the shared boundary it is unlikely that any over bearing impact would be significant. In respect of the adjoined property it is considered that the by setting in the first floor by 2 metres and the projection being approximately 3 metres, the impact on that property would not be significant.

On balance it is considered that there would be no significant impact on amenity.

Conclusion

Having regard to the particular circumstances of the property it is considered that the proposed development is acceptable.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including

Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to issues arising from the consideration of this application.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

MEL-02-02 revision A received 5 May 2022

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

3) The materials to be used in the construction of the extension hereby approved shall match those used in the original property in terms of size, colour and texture.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

4) Before first occupation the windows in the side elevation shall be obscure glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

53 Meldon Road, Manchester, M13 0TS
50 Meldon Road, Manchester, M13 0TR
51 Meldon Road, Manchester, M13 0TS
17 Omer Avenue, Manchester, M13 0UP
15 Omer Avenue, Manchester, M13 0UP
13 Omer Avenue, Manchester, M13 0UP
54 Meldon Road, Manchester, M13 0TR

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH